UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

TRANS/WP.15/155
4 December 1998

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport
of Dangerous Goods

REPORT OF THE WORKING PARTY ON ITS SIXTY-FIFTH SESSION
(16-20 November 1998)

CONTENTS

CONTENTS (continued)

ATTENDANCE

1. The Working Party on the Transport of Dangerous Goods held its sixty-fifth session from 16 to 20 November 1998, with Mr. J. Franco (Portugal) as Chairman and Mrs. A. Roumier (France) as Vice-Chairman. Representatives of the following countries participated in its work: Austria; Belarus; Belgium; Bulgaria; Czech Republic; Denmark; Estonia; Finland; France; Germany; Hungary; Ireland; Italy; Latvia; Netherlands; Norway; Poland; Portugal; Slovakia; Slovenia; Spain; Sweden; Switzerland; Ukraine; United Kingdom. The European Commission was represented. The following non-governmental organizations were also represented: International Road Transport Union (IRU); European Liquefied Petroleum Gas Association (AEGPL); Liaison Committee of Coachwork and Trailer Builders (LCCCT); European Chemical Industry Council (CEFIC); European Industrial Gases Association (EIGA); European Committee for Standardization (CEN); International Organization of Motor Vehicle Manufacturers (OICA); Liaison Committee for the Manufacture of Automobile Equipment and Spare Parts (CLEPA).

ADOPTION OF THE AGENDA

Document: TRANS/WP.15/154

Informal document: INF.1

2. The Working Party adopted the agenda prepared by the secretariat. Additional informal documents would be considered, as necessary, on a case-by-case basis under the agenda item in question.

STATUS OF THE EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR) AND RELATED ISSUES

Status of the Agreement

3. The Working Party noted that the Republic of Moldova had been a Contracting Party to ADR since 14 August 1998 (depositary notification C.N.334.1998.TREATIES-2). The Agreement now had thirty-four Contracting Parties.

Documents: TRANS/WP.15/1998/3 and -/Add.1

4. The Working Party took note of the particulars of the competent authorities of each Contracting Party.

1993 Protocol of amendment

5. The Working Party noted that 23 Contracting Parties to ADR had acceded to the 1993 Protocol of amendment, but that its entry into force required the deposit of the instruments of ratification, acceptance, approval or accession, as relevant, of the other eleven Contracting Parties, namely, Belarus, Belgium, Bosnia and Herzegovina, Croatia, Germany, Greece, Lithuania, Republic of Moldova, Romania, the former Yugoslav Republic of Macedonia and Yugoslavia.

6. The Chairman said that he would write to the competent authorities of the countries in question to urge them to deposit the necessary instruments as rapidly as possible and hoped that the secretariat would draw the attention of countries which had newly acceded to ADR to the need to accede at the same time to the 1993 Protocol.

Draft amendments 1999

7. The Working Party noted that the draft amendments it had adopted (TRANS/WP.15/151 and TRANS/WP.15/153, annex 2) had been proposed to the Contracting Parties by the Government of Portugal on its behalf (depositary notification C.N.310.1998.TREATIES-1 of 1 July 1998) and that they were taken as having been accepted (depositary notification C.N.523.1998.TREATIES-3 of 23 October 1998).

8. In answer to a question from the representative of Belgium, the Working Party confirmed that, according to the new provisions for the marking of packages containing dangerous goods packed in limited quantities, the letters "LQ" or, where appropriate, the UN number(s) preceded by the letters "UN" should appear within a diamond-shaped border.

9. The Working Party congratulated the secretariat on the rapid publication of a new consolidated version of ADR (ECE/TRANS/130, Vols. I and II) in English and French several months before the entry into force of the amendments.

Special agreements

10. The Working Party noted that the complete list of the special bilateral and multilateral agreements concluded under marginals 2010 and 10 602 of ADR was only published once a year (TRANS/WP.15/1998/2 and -/Corr.1), but that the relevant information was communicated quarterly to the Contracting Parties and could be consulted on the Transport Division's Website (http://www.unece.org/trans/danger/danger.htm).

11. The Working Party noted that many bilateral and multilateral agreements would automatically expire at the end of 1998 and that countries wishing to reactivate them should initiate new agreements.

Notifications in accordance with marginal 10 599

12. The Working Party noted that no new notifications had been transmitted in accordance with marginal 10 599.

13. The Chairman informed the Working Party that the European Commission had submitted a draft directive to harmonize conditions for restrictions on certain days of the year on the movement of vehicles generally carrying goods.

14. The Working Party noted that Armenia, Azerbaijan, Bulgaria, Kazakhstan, Kyrgyzstan, Republic of Moldova, Romania, Tajikistan, Turkey and Uzbekistan had on 8 September 1998 concluded a multilateral basic Agreement concerning international transport with a view to the development of the "Europe-Caucasus-Asia" transport corridor.

15. The agreement contained several technical annexes, one of which concerned international road transport and provided that the international transport of dangerous goods on the territory of countries signatories to the agreement in question was subject to the issue of a special permit by each country on whose territory the international transport operation took place.

16. The Working Party noted that this condition was contrary to the spirit and letter of the ADR Agreement in respect of transport operations between Contracting Parties to ADR, e.g. between Romania, Bulgaria and the Republic of Moldova, which were simultaneously Contracting Parties to ADR and signatories to the multilateral agreement.

17. The representative of Bulgaria said that it was not his country's intention to require a special permit in the case of international transport operations subject to ADR.

18. The Working Party recommended that all countries signatories to the multilateral agreement should become Contracting Parties to ADR so as to ensure the safety of the international carriage of dangerous goods by road on their territories and facilitate trade by means of the reciprocal acceptance by Contracting States of the certificates referred to in ADR, thus avoiding the issue of multiple certificates by each country. It invited the three signatory countries which were already Contracting Parties to ADR to urge the other countries concerned by the multilateral agreement to take the necessary steps.

19. The Working Party noted that Kazakhstan had informed the secretariat of its intention of acceding to ADR.

Marginal 10 385

Document: TRANS/WP.15/1998/22

20. The Working Party took note of the official languages in Contracting Parties to ADR. In accordance with marginal 10 385(3), the instructions in writing must be provided in a language the driver could understand and in all languages of the countries of origin, transit and destination.

21. The representatives of Switzerland and Belgium said that the accepted language could vary, depending on the region of their countries concerned.

22. A member of the secretariat pointed out that marginal 10 385(3) prescribed instructions in writing “in all languages”. If a Contracting Party accepted derogations, whether local or general, to this rule of marginal 10 385(3), it must officially notify the secretariat which would inform the other Contracting Parties accordingly.

RESTRUCTURING OF ADR

23. The Working Party took note of the progress made by the RID/ADR/ADN Joint Meeting in the process of restructuring.

24. A member of the secretariat said that the texts of Part 2 and Chapters 6.1, 6.3, 6.5 and 6.9, which had already been adopted, would be distributed in the near future and invited all delegations to check them once they were available.

25. The proposed texts for Annex B of ADR would need to be studied by the Working Party at its two 1999 sessions.

26. The representative of Norway hoped that the Working Party would have three working weeks in 1999 in order to be able to complete the restructuring of ADR. A member of the secretariat pointed out that the Joint Meeting would already have three weeks instead of the two scheduled, and that for reasons of timetabling it was not possible to schedule two weeks for WP.15 in November 1999. It would therefore be preferable, if necessary, to resort to informal working groups to study the specific texts of ADR, and to give priority in 1999 to the work of restructuring.

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Questions concerning tank-vehicles

Documents: TRANS/WP.15/R.405 (Italy)
TRANS/WP.15/R.429 (Germany)
TRANS/WP.15/R.430 (Germany)
TRANS/WP.15/R.433 (Germany)
TRANS/WP.15/1997/3 (Spain)
TRANS/WP.15/1998/4 (Germany)
TRANS/WP.15/1998/9 (France)
TRANS/WP.15/1998/18 (Italy)

Informal documents: INF.3 (Spain)
INF.5 (Germany)
INF.16 (Germany)

27. The representative of Germany submitted the results of the working group on rear tank protection and the formula for wall-thickness, which had met in Berlin from 17 to 19 August 1998 (INF.5) and the results of the discussions of the smaller working group of specialists which had met at Freizen in Germany on 28 and 29 October 1998 (INF.16).

28. He explained that the working group had not been in a position to take a decision on the proposal by Italy concerning tanks with a polycentric cross-section (R.405), in that it had seemed to it that additional information was required.

29. For questions concerning the equivalence of wall-thicknesses, several delegations considered that the problems raised also concerned tank-containers and that they should be dealt with in the Joint Meeting or even initially by the United Nations Committee of Experts on the Transport of Dangerous Goods.

30. With reference to the rear protection of tank-vehicles, several delegations considered that the present requirements were satisfactory and that there was no reason to propose amendments without making a detailed risk analysis and without submitting an estimate of the costs occasioned by the new

requirements proposed, given the benefits expected in terms of increased safety, in accordance with the new rules adopted by the Working Party (TRANS/WP.15/153, annex 1).

31. On the other hand, several delegations felt that the proposal for new marginal 10 220 (1) contained in document INF.5 was not an improvement over the current situation, at least in the short term, to the extent that the concept of a collision energy absorption capacity of 150 kNm would have to be explained by reference to an ISO or CEN standard which did not yet exist and would probably not be rapidly available. The representative of Germany considered that protection according to Directive 70/221/EEC did not ensure adequate protection of the tank.

32. The Working Party ultimately agreed to ask the informal group which would meet in Germany in January 1999 to reconsider those questions. The representative of Germany agreed to support future proposals by justifications consistent with the new rules adopted by the Working Party; to that end, he would submit a summary of justifications submitted in the past. However, he felt it would not be possible to present a detailed analysis of risks, as the elements needed for such a study did not exist; he noted that an accident in Germany a few years earlier had taken the lives of 25 British soldiers, which would justify considering special measures for the rear protection of tank-vehicles.

33. With regard to the minimum thicknesses of the walls of tank-vehicle shells, several delegations supported Spain’s proposal (-/1997/3 and INF.3), in particular for aluminium alloy tanks. Technological progress had made it possible to build tanks with very thin walls when the regulations referred only to the equivalent thicknesses in mild steel, and those delegations preferred to establish a specific minimum thickness. Spain’s proposal would be officially submitted at the next session.

34. The representative of Spain explained that his proposal concerned only tank-vehicles, as the problem did not arise for tank-containers, which were already protected in the event of overturning by the metallic structure of the frame pursuant to the Container Safety Convention.

Document: TRANS/WP.15/1998/20 (AEGPL)

35. The Working Party did not see fit to adopt the AEGPL proposal. A large majority of the Working Party felt that marginal 211 127 (7) did not set any conditions, generally speaking, with regard to the minimum thickness of surge plates and partitions of tanks. The minimum thicknesses for partitions and surge plates were stipulated only in marginals 211 127 (5) (b) (i) and 211 127 (6), i.e. in the specific case of tanks built after 1 January 1990 in order to implement marginal 211 127 (4) when the shell had protection against damage, which did not normally concern gas tanks, or in the case of gravity discharge tanks meeting the conditions of marginal 211 127 (6).

36. The Working Party felt, on the contrary, that if certain delegations believed that a minimum thickness for surge plates and partitions of tanks should be generally specified, they should prepare proposals for amendments to marginal 211 127 with the appropriate justifications.

Document: TRANS/WP.15/R.405 (Italy)

37. The representative of Italy submitted his proposal concerning the possibility of using tanks with a polycentric cross-section for which ADR did not currently make provision but which were used in Italy, in particular for carrying petroleum products.

38. The representative of Switzerland recalled that the representative of ITCO at the RID/ADR/ADN Joint Meeting had suggested that a special chapter should be created for tanks intended for the carriage of petroleum products, and he wondered whether the issue of tanks with a polycentric cross-section could not be settled in the same way.

39. The representative of the Netherlands said that the most vulnerable parts of a tank were its ends; once a new general concept of tank protection had been established he did not think the problem of tanks with a polycentric cross-section would arise again.

40. The representative of Germany said that he could not support the proposal as presented but that it should be possible to find solutions for strengthening tanks with a polycentric cross-section.

41. The representative of Italy said that he would submit a new proposal taking into account the different suggestions made for improving the safety of such tanks.

Document: TRANS/WP.15/1998/18 (Italy)

42. Several delegations were in favour of safety improvements aimed at better protection of the accessories mounted on the upper part of the shell in order to avoid damage in case of overturning. They found the proposed requirements to be too detailed, and would prefer a reference to the appropriate standards.

43. The representative of CEN was asked to inquire into the progress of Technical Committee 296 (WG 4) in that area, as well as the conformity of the draft standards with the basic requirements of ADR.

44. The representative of Italy said that he would, if necessary, prepare a new proposal for an amendment to marginal 211 129 containing a reference to the appropriate standards.

Document: TRANS/WP.15/1997/10 (AEGPL)

Informal document: INF.13 (AEGPL)

45. The representative of AEGPL proposed the introduction of a reference to (draft) standard EN 12 493 to make it possible to use tanks designed according to that standard rather than the requirements of Appendix B.1a for the carriage of liquefied petroleum gas.

46. In addition to the different criteria in marginal 211 127 for determining the thickness of the tank walls, the standard provided for different designs according to the climatic zone where the tank was used, notably reduced wall thicknesses in countries with cold climates.

47. The representative of CEN said that that standard did not correspond exactly to Appendix B.1a, but ensured an equivalent safety level. It provided a safety factor 20% higher than that of ADR, which was offset by a design pressure 20% lower than that of ADR, leading to the construction of a shell of an equivalent thickness, within a few tenths of a millimetre, to that obtained in construction according to ADR. Furthermore, the test pressure was 30% higher than the design pressure and higher than the pressure stipulated in ADR for these gases. He asked the Working Party to take a formal decision on the idea of climatic zones so that CEN would know whether or not to provide for two climatic zones in the standard.

48. The representative of the United Kingdom reminded the meeting that these climatic zones were described in the European Union ADR Directive 94/55/EC, and that it was therefore desirable for this notion to be included in Annexes A and B of ADR which in principle were annexed to the Directive as they stood.

49. Several delegations declared that they were opposed to the notion of climatic zones in ADR since a tank-vehicle carrying a B3 certificate should be able to effect an international transport operation in all ADR countries. They considered that the reduction in wall-thickness should be the subject of bilateral or multilateral agreements only. They also pointed out that the wall-thickness referred to in Appendix B.la had not been designed solely with regard to the external ambient temperature but also to ensure safety in the event of fire. All that they could see in the notion of two climatic zones was an economic advantage which discriminated in favour of cold-climate countries, and they regretted that the result would be a diminishing of the level of safety.

50. The representative of the European Commission said that if the Contracting Parties considered it inappropriate to introduce the notion of climatic zones into ADR, it should also be discussed within the Community in the context of the implementation of article 6.5 of Directive 94/55/EC in domestic transport operations.

51. As regards the conformity of the standard to the fundamental requirements of ADR, the Working Party considered that it could only take a decision after considering the text of the draft standard which had just been distributed but had not been available before the session. The question would therefore be put back on the agenda for the next session.

Marginal 211 130

Informal document: INF.15 (Switzerland)

52. The representative of Switzerland pointed out that the amendments to marginal 211 130 entering into force on 1 January 1999 had been scheduled on the assumption that a standard drawn up by the CEN TC296 WG 4 Working Group

would be available; it was not, however, ready. Without the standard, it was difficult to interpret the new requirement, and in particular find a means of evaluating how to ensure that the service equipment remained leakproof despite the forces of acceleration and dynamic pressure in the contents resulting from a collision.

53. The meeting was reminded that according to marginal 211 188 this new requirement applied only to new tanks.

54. The Working Party considered that administrations should not ignore the requirement, even if no standards were available, and that pending the availability of the standard, each competent authority had the responsibility of making provision for the implementation of the requirement when a tank was approved.

Electrical equipment for explosive atmospheres

Document: TRANS/WP.15/1998/3 (Sweden)

Informal document: INF.8 (OICA/CLEPA)

55. The representative of Sweden presented the report of the meeting of the informal working group on electrical equipment on board tank-vehicles held at Södertälje (Sweden) on 22 and 23 April 1998.

56. One of the working group's proposals was to remove the current requirement of a circuit-breaker control device on the outside of the vehicle. The main reasoning behind this proposal was that vehicles were equipped with anti-theft devices which required an uninterrupted power supply and it would be difficult to observe the requirements regarding the installation of these devices for vehicles equipped with an outside circuit-breaker device.

57. Some delegations felt that such a device would not be very useful in the event of an accident because it was not necessarily easily accessible and because emergency units had to avoid coming too close to a damaged vehicle. Others felt, on the contrary, that the current requirement was also aimed at ensuring safety, in particular in the case of accidents where the driver was injured in his cab, and also in the case of incidents during loading and unloading operations when it was permitted to run the engine in accordance with marginal 10 431.

58. By a slim majority, the Working Party decided to remove the external circuit-breaker device requirement, and adopted the texts relating to marginal 220 512 proposed by the informal working group (see annex).

59. Following this decision, the representative of Belarus said it was regrettable that the Working Party gave priority to technical considerations relating to installation of anti-theft systems at the expense of the drivers' safety. The representative of Belgium associated himself with this remark and entered a reservation concerning the decision.

60. The representative of the United Kingdom proposed that the circuit-breaker switch should be a double-pole switch. Several delegations

indicated that this proposal would not be appropriate, as ADR permitted earthing by chassis and did not require earthing by cable; a monopole switch was therefore sufficient. The representative of the United Kingdom said that he might return to that issue after consulting national experts.

61. For marginals 10 252, 220 514 and 220 515, the representative of Sweden said that the proposals of OICA and CLEPA in document INF.8 were satisfactory to the informal working group (see TRANS/WP.15/1998/13, para. 9). However, as the proposal was available in English only, CLEPA was invited to submit an official proposal at the following session.

Stability of tank-vehicles

Document: TRANS/WP.29/1998/36 (Secretariat)

62. The Working Party noted that the Working Party on the Construction of Vehicles had prepared a draft regulation on uniform provisions concerning the approval of tank-vehicles of categories N and O with regard to rollover stability. It noted in particular that the GRRF Meeting of Experts was to review the document in the light of an EIGA proposal to provide different conditions for tank-vehicles carrying gases.

63. The Working Party commended Working Party WP.29 for its work but noted that requirements contained in this regulation must be applicable to all tank-vehicles whatever the dangerous goods being carried; in its view the question of applicability to a particular hazard class was a matter for Working Party WP.15, rather than Working Party WP.29, to consider.

64. The representative of IRU was of the opinion that if stability requirements applied to tank-vehicles, similar requirements should be drawn up for vehicles carrying tank-containers.

OTHER PROPOSALS

Reference to ECE Regulation No. 105

65. The Working Party noted that Working Party WP.29 had still not adopted the 01 series of amendments to Regulation No. 105, and would only adopt this series in March 1999; as a result it would probably not enter into force before the year 2000. This posed a legal problem since it was only possible to make use of type approval possibilities to issue certificates of approval in accordance with marginal 10 281 if the technical requirements of Regulation No. 105 were brought into line with those of Appendix B.2 of ADR.

66. The representative of the European Commission said that the corresponding European directive would not give rise to this problem since the technical requirements of Regulation No. 105 would be replaced by a reference to appendix B.2 of Directive 94/55/EC.

67. The representative of OICA asked that the situation of type approval from 1 January 1999 should be clarified.

68. A member of the secretariat said that the amendments entering into force on 1 January 1999 provided for certain transitional provisions up to 30 June 1999, in particular for the installation of auxiliary heating (marginal 10 222 (3)), which would come into force on 1 July 1999. For EX/II and EX/III vehicles there were no transitional provisions, except that it would still be possible to carry dangerous goods in accordance with current requirements up to 30 June 1999 according to marginal 10 604. After that date, EX/II and EX/III vehicles must be brought into line with requirements.

69. During the period 1 January 1999 to 30 June 1999, type approval on the basis of Regulation No. 105 would not be possible since the technical requirements of this Regulation neither corresponded to the present requirements of appendix B.2, nor to those coming into force on 1 January 1999. Type approval according to the present requirements of appendix B.2 would be possible, but it must be ensured that the vehicles were brought into line, where necessary, with the requirements entering into force on 1 January 1999 as from 1 July 1999 (particularly marginal 220 516 (3) and, for EX/II and EX/III vehicles, marginals 220 533 and 220 534).

70. With regard to the situation after 30 June 1999, the Working Party considered that a type approval performed according to Regulation No. 105 could only guarantee the conformity of the base vehicle when the approval of the complete vehicle was obtained in accordance with marginal 10 281 if this approval took account of the technical requirements of Appendix B.2 of ADR instead of those of Regulation No. 105 where the latter differed from the former. The type approval described in marginal 10 281 could therefore be performed on the basis of Regulation No. 105 in terms of administrative procedures, but only on the basis of Appendix B.2 of ADR from the point of view of the technical requirements. As a result, the type approval files prepared for obtaining approvals as from 1 July 1999 must be based on the technical requirements of the 1999 version of ADR.

71. In order to avoid problems of concordance between Regulation No. 105 and ADR in future, the Working Party proposed that Working Party WP.29 should amend Regulation No. 105 according to the example followed by the European Commission, i.e. that the technical requirements of ECE Regulation No. 105 should be replaced by a reference to the requirements of Appendix B.2 of ADR. The secretariat was requested to submit a proposal along those lines to Working Party WP.29.

Reference to ECE Regulation No. 13

Informal document: INF.11

72. The representative of France said that she would like it to be clearly specified which series of amendments to Regulation No. 13 was applicable at any given date.

73. The representative of OICA said that the problem did not arise in that ADR referred to Regulation No. 13 in its most recent amended form which was applicable once the approval was issued, and that the dates of application in accordance with the 1958 Agreement were standard.

74. A member of the secretariat said that prudence was required in that for ADR the reference to Regulation No. 13 in its most recent amended form meant that amendments to this Regulation were applicable as soon as they came into force and whichever Contracting Party to ADR had issued the approval, whereas under the 1958 Agreement, a Contracting State could choose whether or not to apply a specific regulation. The 07 series of amendments had entered into force on 18 September 1994, the 08 series on 16 March 1995 and the 09 series on 28 August 1996. Three supplements to the 09 series had entered into force on 15 January 1997, 22 February 1997 and 27 April 1997. A fourth supplement would enter into force in February 1999.

75. He also pointed out that Regulation No. 105 referred to Regulation No. 13 as amended by the 09 series of amendments (particularly with reference to Annex 5 on the transport of dangerous goods).

76. In the secretariat's opinion, the 09 series of amendments was therefore applicable to all new vehicles approved since the above-mentioned dates, in accordance with marginal 10 221 (4) and marginals 220 520 to 220 522.

77. The representative of OICA said that he would prepare a proposal for purposes of clarification for the next session.

Document: TRANS/WP.15/1998/15 (Austria)

78. Several delegations declared themselves in favour of introducing requirements for the approval of insulated, refrigerated and mechanically-refrigerated vehicles. Such requirements already existed for vehicles carrying perishable foodstuffs (ATP).

79. Other delegations were opposed to such requirements in ADR, mainly because they related essentially to the equipment of vehicle bodies and not to the base vehicle, but also because there were apparently no accident statistics proving that present requirements were unsatisfactory.

80. The representative of Austria took note of the comments and might come back to the question.

Marginal 220 536 (3) (b)

Informal document: INF.14 (OICA)

81. Since the document was available in English only, it would have to be discussed at the next session once it had been submitted officially as a formal document.

Miscellaneous other proposals

Marginal 71 321

Document: TRANS/WP.15/1998/1 (Germany)

82. The proposal by Germany was adopted with some amendments (see annex).

Marginal 10 385

Document: TRANS/WP.15/1998/5 (Germany)

Informal document: INF.18 (FIATA)

83. After discussing this proposal to introduce detailed requirements for emergency instructions for mixed loads of dangerous goods of different classes, the Working Party decided by a majority against the principle of such requirements and preferred to keep to the present text.

Marginals 10 011 and 2002 (3)

Documents: TRANS/WP.15/1998/10 (AISE)
TRANS/WP.15/1998/17 (United Kingdom)
Informal document from Austria

84. The Working Party was not in favour of removing the requirements for a transport document for carriage in accordance with marginal 10 011; many delegations considered that the information contained in the transport document was indispensable from the point of view of safety and monitoring.

85. The Working Party also considered that the concerns expressed by the representative of AISE were groundless in view of marginal 2002 (3) as amended at 1 January 1999.

Instructions in writing for the driver

Document: TRANS/WP.15/1998/11 (EPTA)

Informal document: INF.17 (FIATA)

86. The proposal by EPTA to delete paragraph (2) of marginal 10 385, supported by the United Kingdom, was not adopted; however, the text suggested by FIATA for this paragraph was adopted (see annex).

Battery-vehicles

Document: TRANS/WP.15/1998/12 (EIGA)

87. EIGA withdrew its proposal, in view of the fact that the question of battery-vehicles would be discussed by the Working Group on the Restructuring of RID and that OCTI had expressed a wish for the matter to be discussed at the Joint Meeting.

Emergency Response Intervention Cards (ERICARDs)

Informal document: INF.4

88. The representative of CEFIC informed the Working Group that his organization had prepared 229 Emergency Response Intervention Cards for use by fire crews and other emergency services, covering all classes of dangerous

goods, with the exception of Classes 1 and 7, and that CEFIC would make them available to interested delegations in different languages (English, French, Dutch, Spanish, German, Slovene, Portuguese, Turkish and Czech).

89. Several delegations said that their emergency services already had their own system. Nevertheless, ERICARDs might be useful to countries which did not yet have an appropriate system and to countries which would be acceding to ADR in the near future. To that end, it would be very useful if they were available in Russian.

90. The representative of CEFIC said that the ERICARDs might be extended to Classes 1 and 7 with assistance from specialists in those classes, if the Contracting Parties to ADR indicated an interest.

91. At the same time, it was noted that the 1999 version of ADR contained some new requi rements concerning the format of the instructions in writing to be given to the driver, in accordance with marginals 10 260 and 10 385. The transitional period would make it possible to use the 1995 requirements until 31 December 1998, the problem that arose being whether new marginal 10 604 would permit re-using the 1995 requirements until 30 June 1999, or whether the 1997 requirements could be used until 30 June 1999.

92. The Working Party felt that, in the spirit of marginal 10 604, the requirements applicable until 31 December 1998, including those covered by transitional provisions, namely the 1995 requirements with regard to marginals 10 260 and 10 385, could continue to be applied until 30 June 1999. The representative of Germany said that he would accept the earlier provisions after 30 June. Several other delegations said that they would show tolerance in this regard.

Marginal 2301a (6)

Document: TRANS/WP.15/1998/14 (Austria)

93. The representative of Austria pointed out that marginal 2301a (6) raised a problem in that it implied that the fuel tanks of all vehicles, whether trucks, buses or private cars must meet the technical requirements of Regulation No. 34, which was not easy to verify at borders when vehicles were registered in countries which did not officially apply Regulation No. 34.

94. The representative of Hungary noted that that was the situation in her country and that the requirement in question did in fact raise problems for vehicles crossing the Austrian border, whereas, although her country did not officially apply Regulation No. 34, its tanks did meet the technical requirements. She therefore supported the Austrian proposal to delete the reference.

95. The representative of the European Commission said that there might be a contradiction between that requirement and the Vienna Convention on Road Traffic, which did not provide for specific technical requirements in that

connection for the free flow of traffic. He noted that this ADR requirement had originally been aimed at ensuring the safety of the spare tanks used by certain carriers and not the vehicle's original tank.

96. Several delegations were of the view that safety had to be ensured not only for spare tanks but also for vehicles' original tanks, and were opposed to deleting the references.

97. It was decided to return to the question at the next session.

Marginals 240 106 (3) and 240 107 (4)

Document: TRANS/WP.15/1998/16 (Austria)

98. Several delegations were of the view that training schedules should not be overloaded in order for the courses to be properly assimilated, and that it would be inadvisable to amend such a recent requirement, especially as the term "normally" had been included in the text as a compromise.

99. The Austrian proposal was not accepted.

Marginal 10 282 (4)

Document: TRANS/WP.15/1998/19 (Austria)

100. The Austrian proposal was not accepted as the Working Party felt that marginal 10 282 (4) taken in conjunction with marginal 211 152 already made it possible to move empty, uncleaned tank-vehicles after the expiry date of the certificate of approval. Furthermore, tank-vehicles must normally be brought loaded to the inspection services for testing of the braking system.

Marginal 10 316

Document: TRANS/WP.15/1998/21 (Poland)

101. The proposal to specify that drivers not holding a training certificate as referred to in marginal 10 315 must be trained in accordance with marginal 10 316 was adopted (see annex).

Informal document: INF.10 (France)

102. Several delegations shared the view of France, to the effect that it would be difficult to apply marginal 10 316 before 1 January 2000 (paragraph (3) in particular). Some even felt that it should not be applied until 2001 when the Community directive on the safety adviser came into force.

103. Other delegations said that, on the contrary, they had already taken steps to ensure that marginal 10 316 was applicable as from 1 January 1999.

104. The representative of the United Kingdom, the author of the original proposal to introduce this marginal, said that in his understanding most enterprises were already voluntarily applying the requirements contained in

it; he therefore saw no difficulty in applying it immediately as its goal was to oblige the few enterprises which did not train their employees sufficiently to do so.

105. The Working Party finally considered that this new marginal could progressively be implemented on a flexible basis before the start of the year 2000.

Marginal 31 500 (2)

Document: TRANS/WP.15/1998/23 (France)

106. The proposal to add the identification number 1863 and aviation fuel No. 3295 to marginal 31 500 (2) was adopted (see annex).

107. The representative of Austria was requested to make an official submission of the proposal contained in informal document INF.6.

FOLLOW-UP OF THE REGIONAL CONFERENCE ON TRANSPORT AND THE ENVIRONMENT

Document: TRANS/WP.15/AC.1/1998/5 (Secretariat)

JMTE/1998/4 (Report of the first session of the Joint Meeting on Transport and the Environment)

108. The Working Party noted that the Government of Italy had proposed to take the lead in the follow-up to the implementation of Chapter VI of the Programme of Joint Action (transport of dangerous goods) and was planning to organize a workshop in Trento in October 1999 (JMTE/1998/4, para. 12).

109. The Working Party considered that activities undertaken in this context should first and foremost be directed at extending the geographical scope of the implementation of ADR, i.e. facilitating accession to ADR by the countries of Central and Eastern Europe with geographical links to other countries which were already Contracting Parties.

PROGRAMME OF WORK

110. The Working Party took note of the dates of the various sessions to be held in 1999, as follows:

Meeting of Experts on the European Provisions concerning the International Carriage of Dangerous Goods by Inland Waterway (ADN) (second session) (WP.15/AC.2): 18-22 January 1999.

Ad Hoc Working Group for the Elaboration of a draft European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterway (ninth session) (AC.6): 2-5 March 1998.

Working Party on the Transport of Dangerous Goods (WP.15) (sixty-sixth session): 3-7 May 1999.

RID/ADR/ADN Joint Meeting (Bern): 25-28 May 1999.

Sub-Committee of Experts on the Transport of Dangerous Goods (sixteenth session) (ECOSOC): 5-16 July 1999.

Ad Hoc Working Group for the Elaboration of a draft European Agreement concerning the International Transport of Dangerous Goods by Inland Waterway (tenth session) (AC.6): 30 August-2 September 1999.

RID/ADR/ADN Joint Meeting: 14-24 September 1999, and possibly a working group on 13 September.

Working Party on the Transport of Dangerous Goods (sixty-seventh session) (WP.15): 8-12 November 1999.

Sub-Committee of Experts on the Transport of Dangerous Goods (seventeenth session) (ECOSOC): 6-17 December 1999.

111. The following agenda was adopted for the sixty-sixth session:

1. Adoption of the agenda: Monday, 3 May

2. Status of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and related issues: Monday, 3 May

3. Restructuring of ADR: Monday, 3 May, Tuesday, 4 May, Wednesday, 5 May (a.m.)

4. Proposals for amendments to Annexes A and B of ADR

   (a) Tank-vehicles: Wednesday, 5 May (p.m.)

   (b) Electrical equipment for explosive atmospheres: Wednesday, 5 May (p.m.)

   (c) Stability of tank-vehicles: Wednesday, 5 May (p.m.)

   (d) Other proposals: Thursday, 6 May

5. Transitional measures: Thursday, 6 May

6. Follow-up to the Regional Conference on Transport and the Environment: Thursday, 6 May

7. Programme of work: Thursday, 6 May

8. Any other business: Thursday, 6 May

9. Adoption of the report: Friday, 7 May.

ELECTIONS

112. Mr. J. Franco (Portugal) was re-elected as Chairman and Mrs. A. Roumier (France) was re-elected as Vice-Chairman for 1999.

ANY OTHER BUSINESS

Informal documents

113. The representative of Belarus requested that no decision should be taken on the basis of informal documents which were available in only one language.

114. The Chairman reminded the Working Party that it had adopted principles in that regard (TRANS/WP.15/153, annex 1).

Implementation of ADR in the Russian Federation

115. The representatives of Finland, Poland, Norway and Germany said that the problems mentioned during the previous session concerning the special authorizations required by the authorities of the Government of the Russian Federation for ADR transport operations on its territory, which the Working Party regarded as contrary to ADR, had escalated to the point of constituting a serious obstacle to trade with the Russian Federation and transit towards other countries.

116. The Chairman said that the problem had been brought to the attention of the Inland Transport Committee which had requested the cessation of such practices, and that the Government of the Russian Federation was therefore aware of the problem.

117. In answer to a question from the representative of Finland, a member of the secretariat said that despite the efforts mentioned in paragraph 20 of the report TRANS/WP.15/153, the secretariat had not received any clarification of the issue. The Government of the Russian Federation had enacted a new law on road transport in September 1998 which endorsed such practices.

118. The Working Party reiterated its concern in this regard.

Availability of ADR in Russian

119. The representative of Belarus stressed the importance of publishing the 1999 consolidated version of ADR as rapidly as possible. Noting that the translation had already been made, he offered to cooperate with the secretariat in the typing and printing of the texts.

ADOPTION OF THE REPORT

120. The Working Party adopted the report and the annex thereto.

Annex

Draft amendments to Annexes A and B of ADR

Marginal 10 316, heading, amend to read:

"Training of all persons, other than those drivers referred to in marginal 10 315, involved in the carriage of dangerous goods by road."

Marginal 10 316 (1), end, amend to read:

"... personnel who load or unload dangerous goods, personnel in freight forwarding or shipping agencies and drivers not referred to in marginal 10 315."

(Reference document: TRANS/WP.15/1998/21)

Marginal 10 385 (2), amend to read:

"(2) These instructions shall be provided by the consignor and shall be handed out to the driver at the latest when the dangerous goods are loaded on the vehicle. Information on the content of the instructions shall be supplied to the carrier at the latest when the transport order is given, so as to enable him to take the necessary steps to ensure that the employees concerned are aware of these instructions and are capable of carrying them out properly and to ensure that the necessary equipment is on board the vehicle."

(Reference document: INF.17) (informal)

Marginal 31 500 (2), beginning, amend to read:

"It is not necessary to affix the orange-coloured plates prescribed in marginal 10 500 (2) to multi-compartment tank-vehicles carrying two or more substances with identification numbers 1202, 1203, 1223, 1863 or, for aviation fuel, 3295, but no other dangerous substance ..."

(remainder unchanged)

(Reference document: TRANS/WP.15/1998/23)

Marginal 71 321, amend to read:

"Supervision of vehicles

The provisions of marginal 10 321 shall apply to all material, in whatever mass. In addition, these goods shall be subject at all times to supervision to prevent any malicious act and to alert the driver and the competent authorities in the event of loss or fire. However, the provisions of this marginal need not be applied where:

(a) The loaded compartment is locked or the packages carried are otherwise protected against illicit unloading, e.g. by means of a device activating an audible alarm as well as a visual alarm. Such alarms shall not be capable of being shut off except by a switch which is not accessible from outside the vehicle; and

(b) (text unchanged).”

(Reference document: TRANS/WP.15/1998/1)

Marginal 220 512, amend to read:

“220 512 (1) A switch for breaking the electrical circuits shall be placed as close to the battery as practicable.

(2) The control device for the switch shall be installed in the driver's cab. It shall be readily accessible to the driver and be distinctively marked. It shall be protected against inadvertent operation by either adding a protective cover, by using a dual movement control device or by other suitable means.

(3) The switch shall have a casing with protection degree IP 65 in accordance with IEC Standard 529.

(4) The cable connections on the switch shall have protection degree IP 54. However, this does not apply if these connections are contained in a housing which may be the battery box. In this case it is sufficient to insulate the connections against short circuits, for example with a rubber cap.”

(Reference document: TRANS/WP.15/1998/13)
